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**UNESCO**

Report of expert

«Elimination of all forms of racial discrimination and fight against racial prejudices»

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**Introduction**

"As we all know, racism and racial discrimination is far from over. Although we call our world a "global village" - a world which, unfortunately, lacks a sense of intimacy in relation to a neighbor in the community, which is meant by the word "village". In each region, and in all countries, there are problems caused by either a lack of respect, or lack of recognition of the dignity and equality inherent in all human beings ... ".

*Mary Robinson, United Nations High Commissioner for Human Rights, March 24, 1999*

Today in the world, due to the fast processes of globalization, the blurring of state, ethno-cultural and linguistic boundaries, the pressure there is a problem of racial discrimination and racial prejudice. The problem is exacerbated by the active opposition of the two large groups of people: those who are discriminated against, and those who fight against discrimination. This issue carries a great danger, because every place of racial discrimination impede the normal development of millions of people around the world. Racial discrimination and racial prejudice has long been destroying the lives of individuals and communities, depriving individuals of the right to the fundamental principles of equality and non-discrimination and promote incitement of ethnic intolerance.

A fundamental principle of the United Nations and international humanitarian law is the principle of non-discrimination on grounds of race. This principle is clearly stated in the preamble of the UN Charter, which reaffirms "faith in fundamental human rights, in the dignity and worth of the human person", as well as in the Universal Declaration of Human Rights, which says that "everyone has the right to freedom of thought, conscience and religion, "" freedom of opinion and expression of their "and that education" shall promote understanding, tolerance and friendship among all nations, racial or religious groups. "

Despite the ongoing efforts of the international community, racial discrimination and related large-scale violence continued to be observed in various parts of the world. The only difference is that today they occur with less publicity in the course of daily activities of the government and in civil society. Objects of intolerance are invariably migrants, indigenous peoples, racial minorities. Millions of people are still discriminated against solely because of skin color or other factors indicating that they belong to a particular race. A ban on the wearing of the burqa in France and Belgium in public places (2010), the desire of Italy and the Netherlands to introduce a similar ban in their countries, discrimination Uzbek population in the south of Kyrgyzstan (2010), constant clashes with the authorities of the French Roma, the situation of national minorities in Latvia are proof of that.

**Part 1: The problem of racial discrimination and racial prejudice.**

International Convention on the Elimination of All Forms of Racial Discrimination defines racial discrimination as "any distinction, exclusion, restriction or preference based on race, skin color, descent or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life.

Throughout human history, racism was used to justify attempts to expand the boundaries of estates, conquests, colonization and establishing the rule. Often, these actions were accompanied by extreme racism: massacres, forced relocation, loss of lives from hunger and disease, which are inseparable from intolerance, injustice and violence. Today, such action would be regarded as "ethnic cleansing" and genocide.

Examples of some of the most serious human rights violations based on racism, are the genocide of Armenians in Turkey in 1915, apartheid in South Africa, the Holocaust during the Second World War, the genocide against the Tutsis in Rwanda in 1994.

In various parts of the world people do not once rethink racial categories, putting in the same concepts with different content. It is believed that the first term was eating in a French dictionary Larousse in 1932. However, before JA Gobineau, in his "Essay on the inequality of human races "(1853-1855) formulated many of the provisions of racism: of race as a major factor of historical development; of the white race as the most capable of cultural creativity, and therefore higher in comparison with the other two. Later, at the turn of XIX-XX centuries evolutionary theory of Charles Darwin gave scientific racism visibility.

   Realizing that racial approach is fundamentally wrong, in 1978, UNESCO adopted the Declaration on Race and Racial Prejudice, which stated that "the differences in the achievements of different peoples are entirely attributable to geographical, historical, political, economic, social and cultural factors. These differences are in any case can not serve as a pretext for establishing any kind was hierarchical classification of nations and peoples. "

In accordance with the Declaration of racism is "a racist ideology, attitudes based on racial prejudice and discriminatory behavior, structural arrangements and institutionalized practices resulting in racial inequality, as well as perverse notion that discriminatory relations between groups are justified from a moral and scientific points of view ; it is reflected in discriminatory laws or regulations and discriminatory practices as well as in anti-social beliefs and acts; it hinders the development of its victims, corrupts those who inculcates it in practice, internally divides the nation, creates obstacles to international cooperation and forces political tensions between peoples; it is contrary to the basic principles of international law and, therefore, poses a serious threat to international peace and security.

Racism is a theory of the hierarchy of races. He legitimizes the domination of a superior race over the other, and in accordance with this justifies a number of actions and behaviors. Such as the practice of assimilation of subject peoples and, therefore, the need to distinguish between individuals and groups, to build them into a hierarchy based on their greater or lesser ability to be assimilated or resist assimilation. Racism has caused a lot of irreparable damage to humanity, and despite the debunking of scientific theories of racial superiority, still finds its supporters. Today, in the era of globalization, where local regional and national boundaries become blurred, racism remains one of the major disasters of XXI century.

The ideology of racism is directly related to the economic development of societies. Inequality between the North and the South, poverty, social exclusion, marginalization, homogenization of culture - these are the conditions for creating a sense of frustration, resentment, envy, rivalry, contempt and hatred. They have more poverty, lead to an increase in genetic manifestations of racism and discrimination.

It should also be noted that with the rapid development of the means of mass communication occurs incitement to violence motivated by racial hatred through modern technology and through the Internet. At the moment, has not taken effective measures that can prevent it. Thus, globalization, which contributes to obliterate national distinctions, exacerbated social tensions in many countries and led to the emergence of a racial conflict.

**Part 2: The activities of the international community for the elimination of all forms of racial discrimination and the fight against racial prejudice.**

For preventing the amplification of racial hatred and the emergence of potential violent conflict effective action to eliminate all forms of racial discrimination and to combat racial prejudice must be taken along with measures for early warning.

*Norms and standards established by the international community in its struggle against racial discrimination and racial prejudice:*

• Universal Declaration of Human Rights, December 10, 1948

• Convention against Discrimination in Education, 14 December 1960

• Declaration on the Granting of Independence to Colonial Countries and Peoples, 14 December 1960

• UN Declaration on the Elimination of All Forms of Racial Discrimination, 20 November 1963

• International Convention on the Elimination of All Forms of Racial Discrimination, 21 December 1965

• Declaration of the Principles of International Cultural Cooperation, November 4, 1966

• The Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes Against Humanity, 26 November 1968

• International Convention on the Suppression of the Crime of Apartheid and Punishment. November 30, 1973

• Declaration on Race and Racial Prejudice, 27 November 1978

• Declaration on Fundamental Principles concerning the Contribution of the Mass Media to Strengthening Peace and International Understanding, to the Promotion of Human Rights and to Countering Racialism, Apartheid and Incitement to War, November 28, 1978

• Second Decade to Combat Racism and Racial Discrimination, 22 November 1983

• Declaration on the Right to Development, December 4, 1986

• Vienna Declaration

• Declaration of Principles on Tolerance, November 16, 1995

• International Covenant on Civil and Political Rights

• International Covenant on Economic, Social and Cultural Rights

• European Convention for the Protection of Human Rights and Fundamental Freedoms

• Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities

*Сonferences:*

•The first World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, Geneva, 1978

•The Second World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, Geneva, 1983

•European Conference against Racism, Strasbourg, 11-13 October 2000

•All-Russian Conference of NGOs on issues of national and racial discrimination, racism, xenophobia and intolerance, Moscow, 22-23 October 2000

•Conference on the preparation of WCAR, Warsaw, 15 - 18 November 2000

• Informal consultations preparatory committee for the WCAR, Geneva, 15-16 January 2001.

• The Third World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, Durban (South Africa), August 31 - September 7, 2001.

*International human rights organizations:*

• Action Coalition

• Amnesty International On-line

• Amnesty International

• Amnesty International Information Base at Freeport

• Artists Against Racism

• Attorneys without Borders

• Carter Center

• Doctors Without Borders / Medecins Sans Frontieres (MSF)

• Focus: HOPE

• HateWatch

• Human Rights Internet

• Human Rights Watch

• InterAction - American Council for Voluntary International Action

• Peace Brigades International

• Physicians for Human Rights (PHR)

• Together Foundation

• World Organization Against Torture

**Part 3. UNESCO's action to eliminate of all forms of racial discrimination and to fight against racial prejudice.**

UNESCO’s action to combat racism and racial discrimination is inseparable from its concerns relating to the observance of human rights. Its Constitution, after observing in its preamble that “the great and terrible war which has now ended was a war made possible by the denial of the democratic principles of the dignity, equality and mutual respect of men, and by the propagation, in their place, through ignorance and prejudice, of the doctrine of the inequality of men and races”, states in Article 1 that the Organization’s purpose is “to contribute to peace and security by promoting collaboration among the nations through education, science and culture in order to further universal respect for justice, for the rule of law and for the human rights and fundamental freedoms which are affirmed by the peoples of the world, without distinction of race, sex, language or religion ...”.

In compliance with this constitutional provision, UNESCO has been unremitting in its action to combat racism and its institutionalized form of apartheid. In its efforts to counter the harmful effects of globalization, it plans to strengthen its action to eradicate racism, racial discrimination, xenophobia and intolerance.

*Norms and standards established by UNESCO in its struggle against racism*

*Some key instruments:*

The essential document drawn up and adopted by UNESCO with a view to combating racism is the Declaration on Race and Racial Prejudice, adopted by the General Conference at its 20th session (Paris, 27 November 1978).

What distinguishes it from earlier UNESCO instruments dealing with race, racial prejudice and racial discrimination is the fact that it is the first general instrument adopted by the General Conference covering all aspects of the problem of race and racism and establishing a unique standard of reference reflecting UNESCO’s multidisciplinary remit. Its scope extends far beyond the purely legal implications of the question, taking in the biological, sociological, cultural, economic and political aspects of racism and elucidating its origins and causes.

While not a treaty with binding force, the Declaration may be regarded as an expression of the principles generally accepted by the international community and incorporated into contemporary international human rights law on a customary basis.

Since its adoption by the General Conference in 1978, the Declaration on Race and Racial Prejudice has been the subject of five comprehensive reports by the Director-General concerning the situation in the world in the fields covered by the Declaration.

Almost two decades after the 1978 Declaration on Race and Racial Prejudice, the General Conference adopted at its 29th session on 11 November 1997 the Universal Declaration on the Human Genome and Human Rights. This international instrument on bioethics is essentially in line with the Declaration on Race and Racial Prejudice and the research and studies carried out by UNESCO to invalidate definitively the pseudo-scientific foundations of racism.

The Declaration of Principles on Tolerance (1995) follows the same lines as the 1978 Declaration on Race and Racial Prejudice, to which it refers twice. It repeats in Article 2.4 the assertion in the Declaration on Race and Racial Prejudice that “All individuals and groups have the right to be different” (Article 1.2). In Article 3.3, it affirms with the Declaration on Race and Racial Prejudice that “measures must be taken to ensure equality in dignity and rights for individuals and groups wherever necessary ...”.

*Action taken in its special fields of competence*

The elimination of racism and, more generally, the promotion of human rights being central to UNESCO’s purposes, none of its fields of competence is wholly untouched by these concerns. Some fields however, are more directly concerned, and it is on these that our attention will be focused.

1. *Teaching and education*

The Convention and Recommendation against Discrimination in Education, adopted by the General Conference at its 11th session on 14 December 1960, are aimed not only at eliminating and preventing all forms of discrimination but also at promoting equality of educational opportunity and treatment. They thus correspond to two distinct but complementary objectives embodied in UNESCO’s Constitution. The scope of the commitments made by the States Parties to the Convention vary according to the purpose, whether the elimination of discrimination or ensuring equality of opportunity. Under Article 3, States undertake to take a series of immediate measures : they must in particular abrogate or modify any statutory provisions and discontinue any administrative practices that involve discrimination. They must likewise prohibit certain preferences based on the grounds that pupils belong to a particular group. They must furthermore, through a complex effort involving not merely budgetary measures, ensure equality of educational opportunity.

The Recommendation concerning International Understanding, Cooperation and Peace and Education relating to Human Rights and Fundamental Freedoms, adopted on 19 November 1974 by the General Conference, also represents a not insignificant contribution to the establishment of international norms to combat racism and racial discrimination. This instrument “applies to all stages and forms of education”. It stipulates notably that: “Member States should take appropriate steps to ensure that the principles of the Universal Declaration of Human Rights and of the International Convention on the Elimination of All Forms of Racial Discrimination becomes an integral part of the developing personality of each child, adolescent, young person and adult”.

1. *Culture*

The main instrument in this field drawn up by UNESCO to combat racism in all its forms is the Recommendation on Participation by the People at Large in Cultural Life and Their Contribution to It, adopted by the General Conference on 26 November 1976. This Recommendation is aimed at protecting cultural rights as human rights and at ensuring by legislative and regulatory means, but also through technical, economic, financial and other measures, public access to and participation in culture. The Recommendation specifies that “participation by the greatest possible number of people and associations in a wide variety of cultural activities of their own free choice is essential to the development of the basic human values and dignity of the individual”.

The launching of “The Slave Route” project was approved by the General Conference at its 27th session, in 1993 (27 C/Resolution 3.13), and warmly welcomed by the World Conference against Racism in Durban. This project, consisting of four major programmes, was undertaken to highlight the underlying causes and manifestations of the slave trade and slavery and to assess its consequences by observing the cultural, historical and spiritual interactions to which it has given rise in the Americas, the Caribbean, the Indian Ocean and the Mediterranean region.

1. *Communication and information*

UNESCO became aware relatively early of the importance of communication, in terms both of its potential dangers and also of its many advantages. The Organization’s concerns in that regard led it to adopt a standard-setting instrument: the Declaration on Fundamental Principles concerning the Contribution of the Mass Media to Strengthening Peace and International Understanding, to the Promotion of Human Rights and to Countering Racialism, Apartheid and Incitement to War.

The Declaration comprises a preamble and eleven articles. The importance of information and the responsibility of the media, notably with regard to combating racism and racial discrimination, are affirmed in many articles, in particular:

Article I: “…the countering of racialism, apartheid and incitement to war demand a free flow and a wider and better balanced dissemination of information…”;

Article III: “The mass media have an important contribution to make to the strengthening of peace (…) and in countering racialism, apartheid (…).

**Conclusion**

Currently, there are sufficient legal and theoretical basis for the elimination of racism, racial discrimination, xenophobia and related intolerance.

Significant steps to eliminate racism have been developed over three decades Program (1973-2003 years), as well as during Conference in Durban.

Despite the measures taken and the positive results, many challenges remain. UN need not only to the settlement of conflicts related to racism as they arise, but to carry out institutional reforms to prevent outbreaks. Still the international community is not decided whether the state responsible for the promotion of racist theories and carrying out the policies and practices of racism, bear the increased international responsibility? Should the crime of racism include having its origin theory of the exclusivity or superiority based on racial, ethnic, and other similar features of one group of people over another, and built in the state practice acts committed for the purpose of subjection or submission hold in the group or groups of people and their systematic oppression ? Is it time for the convention on the prevention, suppression and punishment of the international crime of racism, as has been done in the case of genocide and apartheid? Still not taken effective measures capable of preventing incitement to violence motivated by racial hatred through the media and the Internet.

Racism, racial discrimination, xenophobia and related intolerance in the rapidly changing world of globalization and remain one of the major disasters facing the world community. And to achieve their success is the only possible way joint efforts of the United Nations, States and civil society.